



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91802-1460

December 15, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

52 DECEMBER 15, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**AMENDMENTS OF CONTRACTS FOR REMOVAL OF
ILLEGALLY DUMPED MATERIALS AND DISPOSAL SERVICES FOR
FLORENCE/FIRESTONE/WALNUT PARK AND
ROAD MAINTENANCE DISTRICT 3 AREAS
(SUPERVISORIAL DISTRICTS 1 AND 2)
(3 VOTES)**

SUBJECT

This action is to amend the contracts for Removal of Illegally Dumped Materials and Disposal Services for Florence/Firestone/Walnut Park and Road Maintenance District 3, which consists of areas in the County's unincorporated communities of Athens, Baldwin Hills, Ladera Heights, View Park-Windsor Hills, and Westmont, to extend these contracts for a six-month period until replacement contracts are awarded.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the work continues to be exempt from the provisions of the California Environmental Quality Act.
2. Find that these services continue to be more economically performed by an independent contractor than by County employees.
3. Approve Amendment 2 to Contract No. 75962 for Removal of Illegally Dumped Materials and Disposal Services for Road Maintenance District 3 , which consists of areas in the County's unincorporated communities of Athens, Baldwin Hills, Ladera Heights, View Park-Windsor Hills, and Westmont, to extend the service for six months starting on January 1, 2010, in the not-to-exceed amount of \$212,266 with Allied Waste Services of North America, LLC, located in Gardena, California, while the Department of Public Works (Public Works) completes the solicitation process for a replacement contract.
4. Approve Amendment 2 to Contract No. 75963 for Removal of Illegally Dumped Materials and Disposal Services for Florence/Firestone/Walnut Park area, to extend the service for six months starting on January 1, 2010, in the not-to-exceed amount of \$212,266 with Allied Waste Services of North America, LLC, located in Gardena, California, while the Department of Public Works completes the solicitation process for a replacement contract.
5. Authorize the Director of Public Works or her designee to increase each of the contract amounts up to an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contracts, if required.
6. Authorize the Director of Public Works or her designee to execute the amendments upon proper execution by the contractor and approval as to form by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to extend these services for six months, starting on January 1, 2010, while Public Works completes the solicitation process for replacement contracts. The continuation of these services is necessary to ensure that all street and alley rights of way within the Road Maintenance District 3 and Florence/Firestone/Walnut Park areas are in a reasonable state of cleanliness to prevent blight.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1) and Community and Municipal Services (Goal 3) because maintaining streets and alleys in a clean state protects the environment and the health and safety of the Florence/Firestone/Walnut Park and the Road Maintenance District 3 areas' residents. The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive manner will support Public Works in meeting these goals.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The requested not-to-exceed amount for both areas is \$212,266, which includes \$112,266 for removal services (a 2 percent reduction of the prior contract rate of \$114,557) plus \$100,000 for the reimbursement of disposal fees. These amounts are for a six-month period plus an additional 10 percent of the contract sums for unforeseen, additional work within the scope of the contracts, if required. These amounts were determined by prorating the existing annual contract amount for six months.

To comply with the County of Los Angeles Board of Supervisors' (Board) direction on contract cost reductions, Public Works negotiated with the contractor to reduce their rates by 2 percent for both of these contracts.

Financing for these additional services is included in the Fiscal Year 2009-10 Road Fund Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Amendments, which are substantially reflected in the enclosed (Enclosures A and B) form, will continue the current contracts' terms, specifications, and conditions. Public Works will obtain County Counsel approval as to form, prior to execution of the amendments. The Director of Public Works or her designee will execute the amendments in accordance with your Board's authorization.

Your Board approved these contracts on December 12, 2006, Agenda Item 37.

These contracts commenced on January 1, 2007, and were for an initial one year period with two 1-year renewal options for a total contract period of three years.

These contracts are set to expire on December 31, 2009. Upon your Board's approval of these amendments, these two contracts will be extended for six months, which extend the contracts until June 30, 2010.

The solicitation documents are being prepared to include the removal of illegally dumped material and disposal services in the alleys and streets in the Garbage Disposal District contracts for Road Maintenance District 3 and Florence/Firestone/Walnut Park areas. Due to the State's recent budget actions and uncertainties regarding the impacts on the Road Fund Budget, an extensive review of funding was necessary prior to soliciting replacement contracts. Funding has now been identified in Public Works' Road Fund Budget for these programs. When the proposals have been received and evaluated, Public Works will recommend contract awards for continued provisions of these services.

Using methodology approved by the Auditor-Controller, Public Works has calculated the cost-effectiveness of contracting for these services. Based on the cost calculations, Public Works has determined that these services continue to be more economically performed by an independent contractor than by County employees.

Since these are Proposition A contracts, Public Works has determined that the contractor continues to comply with the requirements of the Living Wage Program (Los Angeles County Code, Chapter 2.201) and agrees to continue to pay its full-time employees providing County services a living wage.

ENVIRONMENTAL DOCUMENTATION

These services continue to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA) Guidelines. These services are within a class of projects that has been determined not to have a significant effect on the environment in that they meet the criteria set forth in Section 15301 of the CEQA.

CONTRACTING PROCESS

These contracts were originally awarded only after meeting the criteria and pursuant to all requirements of the contracting bidding process.

The Honorable Board of Supervisors

12/15/2009

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IMPACT ON CURRENT SERVICES (OR PROJECTS)

Approval of the amendments will continue the current contracts' services.

CONCLUSION

Please return an adopted copy of this letter to the Department of Public Works, Administrative Services Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:GZ:cg

Enclosures

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Office of Affirmative Action Compliance

AMENDMENT 2 TO CONTRACT NO. 75962

REMOVAL OF ILLEGALLY DUMPED MATERIALS AND DISPOSAL SERVICES FOR
ROAD MAINTENANCE DISTRICT 3 AREA

THIS AMENDMENT, is made and entered into this ____ day of _____, 2009, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and ALLIED WASTE SERVICES OF NORTH AMERICA, LLC, a California corporation (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 75962 was entered into between the COUNTY and the CONTRACTOR, on December 12, 2006, to provide removal and disposal services of illegally dumped materials in the Road Maintenance District 3 area; for a period of one year with two 1-year renewal options; and

WHEREAS, the COUNTY has exercised both one-year renewal options, with the term of the Contract, as extended, is set to expire on December 31, 2009; and

WHEREAS, the COUNTY and CONTRACTOR desire to extend the contract for six months, at the not-to-exceed amount of \$212,266 for removal services and disposal fees, inclusive, while completing the solicitation process for a new contract for this service; and

WHEREAS, on February 6, 2007, the COUNTY Board of Supervisors approved increases in the County Living Wage Program's hourly rates; and

WHEREAS, Contract No. 75962 was amended on July 1, 2007, to reflect COUNTY'S revised Living Wage Program Requirements (Amendment 1); and

WHEREAS, the COUNTY and CONTRACTOR desire to extend the contract for six months at a 2 percent cost reduction of all rates specified in Form PW-2 (Schedule of Prices) immediately upon execution of this AMENDMENT by the CONTRACTOR; and

WHEREAS, the CONTRACTOR is willing to continue to provide the service, under the Contract's existing terms and conditions, during the period as extended under this AMENDMENT at the reduced rate; and

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 75962 between them shall be amended as follows:

//

SECOND: Commencing on January 1, 2010, the CONTRACTOR shall provide the COUNTY with a 2 percent cost reduction of all rates specified in Form PW-2 (Schedule of Prices) without any reduction in the goods and services provided to the COUNTY. The Contract's not-to-exceed amount for the six-month extension will be reduced from \$114,557 to \$112,266 (which reflects the 2 percent reduction in the rates on Form PW-2) for removal services plus an as-needed amount not to exceed \$100,000 for the reimbursement of disposal fees, for a not-to-exceed aggregate of \$212,266 (Maximum Contract Sum).

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By _____
Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

ALLIED WASTE SERVICES OF NORTH
AMERICA, LLC

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name

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WITNESSETH

WHEREAS, Contract No. 75963 was entered into between the COUNTY and the CONTRACTOR, on December 12, 2006, to provide removal and disposal services of illegally dumped materials in the Florence/Firestone/Walnut Park area; for a period of one year with two one-year renewal options; and

WHEREAS, the COUNTY has exercised both one-year renewal options, with the term of the Contract, as extended, is set to expire on December 31, 2009; and

WHEREAS, the COUNTY and CONTRACTOR desire to extend the contract for six months, at the not-to-exceed amount of \$212,266 for removal services and disposal fees, inclusive, while completing the solicitation process for a new contract for this service; and

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Director of Public Works

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By _____
Deputy

ALLIED WASTE SERVICES OF NORTH
AMERICA, LLC

By _____
Its President

Type or Print Name

By _____
Its Secretary

Type or Print Name